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U.S. DEPARTMENT OF TRANSPORTATION
OFFICE OF HEARINGS
WASHINGTON, DC

IN THE MATTER OF

DUSTIN ELKINS

FAA DOCKET NO. CP08NM0005
(Civil Penalty Case)

DMS No. FAA-2008-0779

ORDER OF DISMISSAL

On July 21, 2008, the Federal Aviation Administration (hereinafter referred to as "Complainant") filed a Complaint. On July 15, 2008, Respondent Dustin Elkins (hereinafter "Respondent") had requested a hearing. On May 7, 2009, Complainant withdrew its Complaint, citing settlement.

14 C.F.R. § 13.215 states: "At any time before or during a hearing, an agency attorney may withdraw a complaint or party may withdraw a request for a hearing without the consent of the administrative law judge. If an agency attorney withdraws the complaint or a party withdraws the request for a hearing and the answer, the administrative law judge shall dismiss the proceedings under this subpart with prejudice."

WHEREFORE, the within filed Withdrawal of Complaint having been read and considered, it is ORDERED as follows:

1. Complainant's Withdrawal of Complaint be and is hereby granted; and
2. This proceeding be and is hereby dismissed with prejudice.

SO ORDERED.

Richard C. Goodwin

Richard C. Goodwin
Administrative Law Judge

Attachment – Service List

SERVICE LIST

ORIGINAL & ONE COPY

Federal Aviation Administration
800 Independence Avenue, S.W.
Washington, DC 20591
Attention: Hearing Docket Clerk, AGC-430,
Wilbur Wright Building—Suite 2W1000¹

ONE COPY

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The Honorable Richard C. Goodwin
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¹ Service was by U.S. Mail. For service in person or by expedited courier, use the following address: Federal Aviation Administration, 600 Independence Avenue, S.W., Wilbur Wright Building—Suite 2W1000, Washington, DC 20591; Attention: Hearing Docket Clerk, AGC-430.